

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

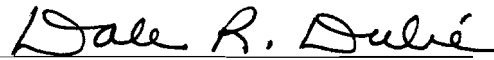
MAGTEN ASSET MANAGEMENT CORPORATION and LAW DEBENTURE TRUST COMPANY OF NEW YORK,	)	
	)	
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 04-1494-(JJF)
	)	
NORTHWESTERN CORPORATION,	)	
	)	
Defendant.	)	
	)	
<hr/>		
MAGTEN ASSET MANAGEMENT CORP.,	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. Action No. 05-499 (JJF)
	)	
MICHAEL J. HANSON and ERNIE J. KINDT,	)	
	)	
Defendants.	)	

**NOTICE OF DEPOSITION OF CHRISTOPHER KEARNS**

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 26(b)(4)(A), Plaintiff Magten Asset Management Corporation will take the deposition of Christopher Kearns commencing at 10:00 a.m. on Thursday, January 10, 2008 and continuing until completed, at the offices of Fried, Frank, Harris, Shriver & Jacobson LLP, One New York Plaza, New York, NY 10004. The deposition will be taken before a notary public or other officer authorized by law to administer oaths, and may be recorded by stenographic and videographic means.

Dated: January 4, 2008

**BLANK ROME LLP**

A handwritten signature in cursive script, reading "Dale R. Dubé".

Dale R. Dubé (DE No. 2863)  
David W. Carickhoff (DE No. 3715)  
1201 N. Market Street, Suite 800  
Wilmington, DE 19801  
Telephone: 302-425-6400  
Facsimile: 302-425-6464

- and -

**FRIED, FRANK, HARRIS, SHRIVER &  
JACOBSON LLP**

Bonnie Steingart  
Gary L. Kaplan  
John W. Brewer  
One New York Plaza  
New York, NY 10004  
Telephone: (212) 859-8000  
Facsimile: (212) 859-4000  
Counsel for Magten Asset Management  
Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of January, 2008, I served the NOTICE OF DEPOSITION OF CHRISTOPHER KEARNS to the following in the manner indicated:

**EMAIL AND HAND DELIVERY**

Denise Seastone Kraft, Esquire  
Edwards Angell Palmer & Dodge LLP  
919 North Market Street, 15th Floor  
Wilmington, DE 19801

Kathleen M. Miller (DE No. 2898)  
Smith, Katzenstein & Furlow, LLP  
800 Delaware Avenue, 7<sup>th</sup> Floor  
P.O. Box 410  
Wilmington, DE 19899

Victoria Watson Counihan, Esquire  
Dennis A. Meloro, Esquire  
Greenberg Traurig LLP  
The Nemours Building  
1007 North Orange Street, Suite 1200  
Wilmington, DE 19801


I also certify that, on this 4<sup>th</sup> day of January, 2008, I served the aforementioned document, by e-mail and Federal Express, upon the following participants:

**EMAIL AND FEDERAL EXPRESS**

Stanley T. Kaleczyc, Esquire  
Kimberly A. Beatty, Esquire  
Browning, Kaleczyc, Berry & Hoven, P.C.  
139 North Last Chance Gulch  
P.O. Box 1697  
Helena, Mt 59624

John V. Snellings, Esquire  
Amanda Darwin, Esquire  
Nixon Peabody LLP  
100 Summer Street  
Boston, MA 02110

Steven J. Reisman, Esquire  
Joseph D. Pizzurro, Esquire  
Nancy E. Delaney, Esquire  
Miriam K. Harwood, Esquire  
Myles Bartley, Esquire  
Curtis, Mallet-Prevost, Colt & Mosle LLP  
101 Park Avenue  
New York, New York 10178-0061

  
\_\_\_\_\_  
Dale R. Dubé (No. 2863)